

# HB3781



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3781

by Rep. Elgie R. Sims, Jr.

### SYNOPSIS AS INTRODUCED:

730 ILCS 152/120

Amends the Sex Offender Community Notification Law. Provides that the sheriff of the county and the Chicago Police Department may disclose the sex offender information by notifying the entities required to receive disclosure of sex offender information of the link to the "County Sex Offender Registration" website if available in that county or of the "Chicago Sex Offender Registration" website if available in that city.

LRB100 08481 RLC 21607 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Sex Offender Community Notification Law is  
5 amended by changing Section 120 as follows:

6 (730 ILCS 152/120)

7 Sec. 120. Community notification of sex offenders.

8 (a) The sheriff of the county, except Cook County, shall  
9 disclose to the following the name, address, date of birth,  
10 place of employment, school attended, e-mail addresses,  
11 instant messaging identities, chat room identities, other  
12 Internet communications identities, all Uniform Resource  
13 Locators (URLs) registered or used by the sex offender, all  
14 blogs and other Internet sites maintained by the sex offender  
15 or to which the sex offender has uploaded any content or posted  
16 any messages or information, and offense or adjudication of all  
17 sex offenders required to register under Section 3 of the Sex  
18 Offender Registration Act; this disclosure may be by notifying  
19 the following of the link to the "County Sex Offender  
20 Registration" website if available in that county:

21 (1) The boards of institutions of higher education or  
22 other appropriate administrative offices of each  
23 non-public institution of higher education located in the

1 county where the sex offender is required to register,  
2 resides, is employed, or is attending an institution of  
3 higher education;

4 (2) School boards of public school districts and the  
5 principal or other appropriate administrative officer of  
6 each nonpublic school located in the county where the sex  
7 offender is required to register or is employed;

8 (3) Child care facilities located in the county where  
9 the sex offender is required to register or is employed;

10 (4) Libraries located in the county where the sex  
11 offender is required to register or is employed;

12 (5) Public libraries located in the county where the  
13 sex offender is required to register or is employed;

14 (6) Public housing agencies located in the county where  
15 the sex offender is required to register or is employed;

16 (7) The Illinois Department of Children and Family  
17 Services;

18 (8) Social service agencies providing services to  
19 minors located in the county where the sex offender is  
20 required to register or is employed;

21 (9) Volunteer organizations providing services to  
22 minors located in the county where the sex offender is  
23 required to register or is employed; and

24 (10) A victim of a sex offense residing in the county  
25 where the sex offender is required to register or is  
26 employed, who is not otherwise required to be notified

1 under Section 4.5 of the Rights of Crime Victims and  
2 Witnesses Act or Section 75 of the Sexually Violent Persons  
3 Commitment Act.

4 (a-2) The sheriff of Cook County shall disclose to the  
5 following the name, address, date of birth, place of  
6 employment, school attended, e-mail addresses, instant  
7 messaging identities, chat room identities, other Internet  
8 communications identities, all Uniform Resource Locators  
9 (URLs) registered or used by the sex offender, all blogs and  
10 other Internet sites maintained by the sex offender or to which  
11 the sex offender has uploaded any content or posted any  
12 messages or information, and offense or adjudication of all sex  
13 offenders required to register under Section 3 of the Sex  
14 Offender Registration Act; this disclosure may be by notifying  
15 the following of the link to the "County Sex Offender  
16 Registration" website if available in that county:

17 (1) School boards of public school districts and the  
18 principal or other appropriate administrative officer of  
19 each nonpublic school located within the region of Cook  
20 County, as those public school districts and nonpublic  
21 schools are identified in LEADS, other than the City of  
22 Chicago, where the sex offender is required to register or  
23 is employed;

24 (2) Child care facilities located within the region of  
25 Cook County, as those child care facilities are identified  
26 in LEADS, other than the City of Chicago, where the sex

1 offender is required to register or is employed;

2 (3) The boards of institutions of higher education or  
3 other appropriate administrative offices of each  
4 non-public institution of higher education located in the  
5 county, other than the City of Chicago, where the sex  
6 offender is required to register, resides, is employed, or  
7 attending an institution of higher education;

8 (4) Libraries located in the county, other than the  
9 City of Chicago, where the sex offender is required to  
10 register, resides, is employed, or is attending an  
11 institution of higher education;

12 (5) Public libraries located in the county, other than  
13 the City of Chicago, where the sex offender is required to  
14 register, resides, is employed, or attending an  
15 institution of higher education;

16 (6) Public housing agencies located in the county,  
17 other than the City of Chicago, where the sex offender is  
18 required to register, resides, is employed, or attending an  
19 institution of higher education;

20 (7) The Illinois Department of Children and Family  
21 Services;

22 (8) Social service agencies providing services to  
23 minors located in the county, other than the City of  
24 Chicago, where the sex offender is required to register,  
25 resides, is employed, or attending an institution of higher  
26 education;

1           (9) Volunteer organizations providing services to  
2 minors located in the county, other than the City of  
3 Chicago, where the sex offender is required to register,  
4 resides, is employed, or attending an institution of higher  
5 education; and

6           (10) A victim of a sex offense residing in the county,  
7 other than the City of Chicago, where the sex offender is  
8 required to register, resides, is employed, or attends an  
9 institution of higher education, who is not otherwise  
10 required to be notified under Section 4.5 of the Rights of  
11 Crime Victims and Witnesses Act or Section 75 of the  
12 Sexually Violent Persons Commitment Act.

13           (a-3) The Chicago Police Department shall disclose to the  
14 following the name, address, date of birth, place of  
15 employment, school attended, e-mail addresses, instant  
16 messaging identities, chat room identities, other Internet  
17 communications identities, all Uniform Resource Locators  
18 (URLs) registered or used by the sex offender, all blogs and  
19 other Internet sites maintained by the sex offender or to which  
20 the sex offender has uploaded any content or posted any  
21 messages or information, and offense or adjudication of all sex  
22 offenders required to register under Section 3 of the Sex  
23 Offender Registration Act; this disclosure may be by notifying  
24 the following of the link to the "Chicago Sex Offender  
25 Registration" website if available in that city:

26           (1) School boards of public school districts and the

1 principal or other appropriate administrative officer of  
2 each nonpublic school located in the police district where  
3 the sex offender is required to register or is employed if  
4 the offender is required to register or is employed in the  
5 City of Chicago;

6 (2) Child care facilities located in the police  
7 district where the sex offender is required to register or  
8 is employed if the offender is required to register or is  
9 employed in the City of Chicago;

10 (3) The boards of institutions of higher education or  
11 other appropriate administrative offices of each  
12 non-public institution of higher education located in the  
13 police district where the sex offender is required to  
14 register, resides, is employed, or attending an  
15 institution of higher education in the City of Chicago;

16 (4) Libraries located in the police district where the  
17 sex offender is required to register or is employed if the  
18 offender is required to register or is employed in the City  
19 of Chicago;

20 (5) Public libraries located in the police district  
21 where the sex offender is required to register, resides, is  
22 employed, or attending an institution of higher education  
23 in the City of Chicago;

24 (6) Public housing agencies located in the police  
25 district where the sex offender is required to register,  
26 resides, is employed, or attending an institution of higher

1 education in the City of Chicago;

2 (7) The Illinois Department of Children and Family  
3 Services;

4 (8) Social service agencies providing services to  
5 minors located in the police district where the sex  
6 offender is required to register, resides, is employed, or  
7 attending an institution of higher education in the City of  
8 Chicago;

9 (9) Volunteer organizations providing services to  
10 minors located in the police district where the sex  
11 offender is required to register, resides, is employed, or  
12 attending an institution of higher education in the City of  
13 Chicago; and

14 (10) A victim of a sex offense residing in the police  
15 district where the sex offender is required to register,  
16 resides, is employed, or attends an institution of higher  
17 education in the City of Chicago, who is not otherwise  
18 required to be notified under Section 4.5 of the Rights of  
19 Crime Victims and Witnesses Act or Section 75 of the  
20 Sexually Violent Persons Commitment Act.

21 (a-4) The Department of State Police shall provide a list  
22 of sex offenders required to register to the Illinois  
23 Department of Children and Family Services.

24 (b) The Department of State Police and any law enforcement  
25 agency may disclose, in the Department's or agency's  
26 discretion, the following information to any person likely to



1 encounter a sex offender, or sexual predator:

2 (1) The offender's name, address, date of birth, e-mail  
3 addresses, instant messaging identities, chat room  
4 identities, and other Internet communications identities,  
5 all Uniform Resource Locators (URLs) registered or used by  
6 the sex offender, and all blogs and other Internet sites  
7 maintained by the sex offender or to which the sex offender  
8 has uploaded any content or posted any messages or  
9 information.

10 (2) The offense for which the offender was convicted.

11 (3) Adjudication as a sexually dangerous person.

12 (4) The offender's photograph or other such  
13 information that will help identify the sex offender.

14 (5) Offender employment information, to protect public  
15 safety.

16 (c) The name, address, date of birth, e-mail addresses,  
17 instant messaging identities, chat room identities, other  
18 Internet communications identities, all Uniform Resource  
19 Locators (URLs) registered or used by the sex offender, all  
20 blogs and other Internet sites maintained by the sex offender  
21 or to which the sex offender has uploaded any content or posted  
22 any messages or information, offense or adjudication, the  
23 county of conviction, license plate numbers for every vehicle  
24 registered in the name of the sex offender, the age of the sex  
25 offender at the time of the commission of the offense, the age  
26 of the victim at the time of the commission of the offense, and

1 any distinguishing marks located on the body of the sex  
2 offender for sex offenders required to register under Section 3  
3 of the Sex Offender Registration Act shall be open to  
4 inspection by the public as provided in this Section. Every  
5 municipal police department shall make available at its  
6 headquarters the information on all sex offenders who are  
7 required to register in the municipality under the Sex Offender  
8 Registration Act. The sheriff shall also make available at his  
9 or her headquarters the information on all sex offenders who  
10 are required to register under that Act and who live in  
11 unincorporated areas of the county. Sex offender information  
12 must be made available for public inspection to any person, no  
13 later than 72 hours or 3 business days from the date of the  
14 request. The request must be made in person, in writing, or by  
15 telephone. Availability must include giving the inquirer  
16 access to a facility where the information may be copied. A  
17 department or sheriff may charge a fee, but the fee may not  
18 exceed the actual costs of copying the information. An inquirer  
19 must be allowed to copy this information in his or her own  
20 handwriting. A department or sheriff must allow access to the  
21 information during normal public working hours. The sheriff or  
22 a municipal police department may publish the photographs of  
23 sex offenders where any victim was 13 years of age or younger  
24 and who are required to register in the municipality or county  
25 under the Sex Offender Registration Act in a newspaper or  
26 magazine of general circulation in the municipality or county

1 or may disseminate the photographs of those sex offenders on  
2 the Internet or on television. The law enforcement agency may  
3 make available the information on all sex offenders residing  
4 within any county.

5 (d) The Department of State Police and any law enforcement  
6 agency having jurisdiction may, in the Department's or agency's  
7 discretion, place the information specified in subsection (b)  
8 on the Internet or in other media.

9 (e) (Blank).

10 (f) The administrator of a transitional housing facility  
11 for sex offenders shall comply with the notification procedures  
12 established in paragraph (4) of subsection (b) of Section  
13 3-17-5 of the Unified Code of Corrections.

14 (g) A principal or teacher of a public or private  
15 elementary or secondary school shall notify the parents of  
16 children attending the school during school registration or  
17 during parent-teacher conferences that information about sex  
18 offenders is available to the public as provided in this Act.

19 (h) In order to receive notice under paragraph (10) of  
20 subsection (a), paragraph (10) of subsection (a-2), or  
21 paragraph (10) of subsection (a-3), the victim of the sex  
22 offense must notify the appropriate sheriff or the Chicago  
23 Police Department in writing, by facsimile transmission, or by  
24 e-mail that the victim desires to receive such notice.

25 (i) For purposes of this Section, "victim of a sex offense"  
26 means:

- 1           (1) the victim of the sex offense; or
- 2           (2) a single representative who may be the spouse,
- 3           parent, child, or sibling of a person killed during the
- 4           course of a sex offense perpetrated against the person
- 5           killed or the spouse, parent, child, or sibling of any
- 6           victim of a sex offense who is physically or mentally
- 7           incapable of comprehending or requesting notice.

8           (Source: P.A. 94-161, eff. 7-11-05; 94-168, eff. 1-1-06;

9           94-994, eff. 1-1-07; 95-229, eff. 8-16-07; 95-278, eff.

10          8-17-07; 95-640, eff. 6-1-08; 95-876, eff. 8-21-08; 95-896,

11          eff. 1-1-09.)